

MAR 23 2004

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I. FAX INFORMATION SHEET

Date: March 23, 2004
 ID Number: 61297
 Identifier: 126433.110

Recipient
 Company: TC1600
 USPTO

Recipient's General Number: 571-272-1600

Recipient's Fax Number(s): 703-872-9306

Sender: Raymond A. Miller, Reg. No. 42,891 **RETURN FAX TO**
 Sender's Direct Line: 412-454-5813 **K. PUJOL**
 Sender's Email Address: millerr@pepperlaw.com

Total Pages Including Cover: 23

Re: Application No. 09/904,744

Comments: Attached is the Amendment and Response to Office Action, Petition for Extension of Time and Certificate of Facsimile

An original or a copy has [] or has not [✓] been sent to you by mail [] or by overnight service [] or by email [].

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 210.00)

Complete if Known

Application Number 09/904,744

Filing Date July 13, 2001

First Named Inventor Barbera-Guillem

Examiner Name Sisson

Art Unit 1634

Attorney Docket No. 126433.110

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number 50-0436

Deposit Account Name Pepper Hamilton LLP

The Director is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
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-
- Charge any additional fee(s) or any underpayment of fee(s)
-
-
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2006 80	Provisional filing fee	
SUBTOTAL (1) (\$)			210.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	
			- 3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0

*For number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 66	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1063 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 166	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2463 666	Petition to revive - unintentional	
1601 1,330	2501 665	Utility issue fee (or reissue)	
1602 480	2502 240	Design issue fee	
1603 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
0021 40	8021 40	Recording each patent assignment per property (times number of property)	
1800 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(e))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 386	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)		210.00	

(Complete if applicable)

Name (Print/Type)	Raymond A. Miller	Registration No. (Attorney/Agent)	42,891	Telephone	412.454.5000
Signature	Raymond A. Miller				
Date	March 23, 2004				

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MAR 23 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of : Emilio Barbera-Guillem
Application No. : 09/904,744
Group Art Unit : 1634
Examiner : Sisson, Bradley L.
Filing Date : July 13, 2001

For: POLYNUCLEOTIDE STRANDS OPERABLY LINKED TO NANOCRYSTALS
FUNCTIONALIZED TO BE WATER SOLUBLE

Box Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.111

Dear Sir:

This Response and enclosed remarks are in response to the Office Action, dated October 23, 2003 issued in connection with the above-identified application. Applicant has also filed a Petition for a 2 month Extension of Time and have included authorization to charge the appropriate fee to Deposit Account 50-0436 as set forth under §1.17(a). Accordingly this response is timely filed. The Commissioner is authorized to charge or credit Deposit Account Number 50-0436 any deficiency or overpayment of fees necessary for this extension.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims begin on page 4 of this paper

Remarks and Arguments begin on page 7 of this paper.